

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

SHAWN WILEY,

Petitioner,

v.

**CASE NO. 2:13-CV-99
JUDGE ALGENON L. MARBLEY
MAGISTRATE JUDGE KEMP**

EDWARD BANKS, WARDEN,

Respondent.

OPINION AND ORDER

On April 17, 2013, the Magistrate Judge issued a *Report and Recommendation* pursuant to Rule 4 of the Rules Governing Section 2254 Cases denying Petitioner's *Motion for a Stay* and request for counsel (Doc. Nos. 4, 5), and recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed. The parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so. Additionally, the Court granted Petitioner's request for an extension of time to file his objections. Doc. No. 9. No objections, however, have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. Petitioner's *Motion for a Stay*, Doc. No. 4, and request for counsel, Doc. No. 5, are **DENIED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
United States District Judge